

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Crl.O.P.No.22830 of 2015

Panjamoorthy

...Petitioner

vs.

State Rep by
The Inspector of Police,
Kadampuliyur Police Station
Cuddalore District.

...Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the Principal District and Sessions Judge, Cuddalore [Special Judge for SC/ST Act Cases] to consider the bail application filed by the petitioner in connection with the Crime No.254 of 2015 on the file of the respondent police on his surrender sympathetically and pass orders on merits on the same day.

For Petitioner : Mr.K.Gandhikumar

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

The learned counsel for the petitioner submits that the petitioner has come forward with this petition seeking for a direction to the learned Principal District and Sessions Judge cum Special Judge for SC/ST Act cases, Cuddalore to consider the bail application filed by the petitioner in connection with the Crime No.254 of 2015 on the file of the Inspector of Police, Kadampuliyur Police Station, Cuddalore District on his surrender on the same day.

2. The learned counsel for the petitioner also submits that the petitioner has been implicated in this case for the alleged offence under Sections 294(b), 323 of IPC r/w 3(1)(X) SC.ST Act, 1989. In view of the specific bar under Section 18 of the said

Act, the petitioner cannot move any anticipatory bail application and therefore, the petitioner has come forward with the said prayer.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

4. Considering the submissions of both sides and also considering the nature of the prayer in this case and in view of the specific bar under Section 18 of the S.C. & S.T. (Prevention of Atrocities) Act that the petitioner cannot move any anticipatory bail, the learned Principal District and Sessions Judge cum Special Judge for SC/ST Act cases, Cuddalore, is directed to consider the bail application, in the event of the petitioner filing such petition in Crime No.254 of 2015 on the file of the respondent police, and dispose of the same on merits and in accordance with law on the same day, of his surrender.

5. With the above observation, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

vj2

To

1. The Principal District and Sessions Judge
[Special Judge for SC/ST Act Cases]
Cuddalore
2. The Inspector of Police,
Kadampuliyur Police Station
Cuddalore District.
3. The Public Prosecutor,
Madras.

1 CC to Mr.K.Gandhikumar, Advocate SR.No. 49202

CrI. O.P. No.22830 of 2015

PA (CO)

PSI (11.09.2015)